



Seetor  
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Patent  
Attorney's Docket No. 026350-048

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )  
Hiroshi SANO et al ) Group Art Unit: 1632  
Application No.: 09/805,919 ) Examiner: Unassigned  
Filed: March 15, 2001 )  
For: A GENE WHICH EXHIBITS INDUCED )  
EXPRESSION BY STRESS )

**TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION**

**BOX: MISSING PART**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In complete response to the Notice to File Missing Parts of Application Under 37 C.F.R.  
§ 1.53(b) dated May 23, 2001, enclosed please find:

- ☒ a Combined Declaration and Power of Attorney signed by the inventor(s) and the  
surcharge of ☒ \$65.00 (205) [ ] \$130.00 (105) as set forth in 37 C.F.R.  
§ 1.16(e);
- [ ] Note that the inventor(s) identified on the currently filed Combined  
Declaration and Power of Attorney are different than listed on the application  
filing papers.
- [ ] a Request for Refund;
- [ ] a Petition for Extension of Time;
- [ ] a verified English translation of the Application, and the \$130.00 (139) fee as set  
forth in 37 C.F.R. § 1.17(k);
- ☒ an Assignment document and a separate check for the \$40.00 (581) Assignment  
recordation fee;
- [ ] drawings for publication;
- ☒ other Sequence Listing Transmittal Letter; Declaration Pursuant to 37 C.F.R.  
§1.821-1.825; Reply: Paper Copy of Sequence Listing; Sequence Listing Formatted  
Diskette;

Transmittal Letter for Missing Parts of Application

Attorney's Docket No. 026350-048

Application No. 09/805,919

Page 2

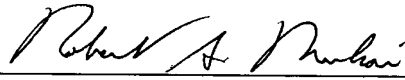
☒ a check in the amount of \$ 65.00 for the fee due for missing parts; and  
☐ charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due for missing parts.

☒ **Small entity status is hereby claimed.**

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By:   
Robert G. Mukai  
Registration No. 28,531

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

Date: July 23, 2001



Patent  
Attorney's Docket No. 026350-048

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
Hiroshi Sano et al	)	Group Art Unit: 1632
Serial No.: 09/805,919	)	Examiner: Unassigned
Filed: March 15, 2001	)	<b>ATTENTION: BOX SEQUENCE</b>
For: A Gene Which Exhibits Induced	)	
Expression By Stress	)	

**TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In complete response to the Notice to File Missing Parts of Non-provisional Application dated May 23, 2001, enclosed please find:

- [X] A copy of the "Sequence Listing" in computer readable form in compliance with 37 C.F.R. §§1.823(b) and 1.824.
- [X] A statement that the content of the paper and computer readable copies are the same as set forth in 37 C.F.R. §1.821(f).

The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this paper is enclosed.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By Robert G. Mukai  
Robert G. Mukai  
Registration No. 28,531

1737 King Street, Suite 500  
Alexandria, VA 22314-2756  
(703) 836-6620

Date: July 23, 2001



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/805,919	03/15/2001	Hiroshi Sano	026350-048

CONFIRMATION NO. 2905

## FORMALITIES LETTER



\*OC000000006105938\*

Robert G. Mukai  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, VA 22313-1404

07/25/2001 BARRAH1 00000012 09805919

01 FC:205

65.00 OP

Date Mailed: 05/23/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE